RAJYA SABHA

Thursday, the 31st May, 1990/10th Jyaistha, 1912 (Saka)

The House met at seven minutes past eleven of the clock, The Deputy Chairman in the Chair.

THE DEPUTY CHAIRMAN: Hon'ble Members, we had fixed 11 A.M. today to administer reprimand to Shri K.K. Tewary, for contempt of the House The Secretary-General, Rajya Sabha, had received a letter this morning from K. K. Tewary, stating and I quote:

"To

The Secretary-General,
Rajya Sabha,
Parliament House,
New Delhi

Sir,

Acknowledging the receipt of the summons to receive reprimand of the Rajya Sabha dated 30-5-1990, I have to submit as under:—

That in so far as the summons is founded on a mere confirmation of my press statement and without any consideration of my defence contained in my reply dated 30th May 1990, I am entitled to the writ petition of the Supreme Court against the said summons and or any other or further action in pursuance thereof.

That I propose to avail of this constitutional remedy under article 32 of the Constitution of India, in terms of order dated 30th May 1990 of Special three-Judge Bench of the Supreme Court, passed in my writ petition No. 656 of 1990. By this order, the Supreme Court while dismissing the writ petition in view of your letter dated 24th May 1990, asking for my reply with comments, if any, by 28-5-1990, was pleased to grant me the liberty to move the Supreme Court again in case there was no consideration of the comments or no opportunity for defence.

That in view of the foregoing, I have to request that the time for receiving the sentence of reprimand may kindly be extended by the august House.....

"....by twenty-four hours so that I may exhaust the judicial remedy on 31-5-1990 and present myself before the Bar of the House only on 1-6-1990 for the needful in terms of such orders as may be passed by the Hon'ble Supreme Court on the fresh writ petition filed by me.

Yours sincerely,
K. K. Tewary."

I would like to echo the feelings of the House that Shri K. K. Tewary having been a Member of the Parliament for quite some time and having been a Minister should not have approached the Court in a matter of contempt of this House which was too serious. This House fervently hopes that the Supreme Court would restrain itself from interfering in this matter, respecting the authority of this House and its Chair.

Since the contemner has sought for time, lest we should be understood as being vindictive, the House may grant him the time till 4.00 P.M. today to appear and receive the reprimand.

SHRI HANSRAJ BHARDWAJ (Madhya Pradesh): Madam, I want to raise a point of order. (*Interruptions*).

THE MINISTER OF INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): What is the point of order?

THE DEPUTY CHAIRMAN: I commend this for the approval... (*Interruptions*). Please, It is too serious a matter. I will not allow any discussion, I commend this for the approval of the House. (*Interruptions*).

SHRI HANSRAJ BHARDWAJ: Madam... (*Interruptions*)... the comment on the Supreme Court is very unfortunate. (*Interruptions*)

THE DEPUTY CHAIRMAN: Papers laid on the Table of the House. (*Interruptions*).

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): It is consistent with Articles 100 and 122 of the Constitution.

SHRI P. UPENDRA: Yes, (*Interruptions*). The deputy Chairman Please. I request hon. Members. Just a minute. I request the hon. Members of this august body to respect the House as well as to keep the respect of the Supreme Court also. There is no confrontation and I think we will go ahead with the rest of the business. (*Interruptions*).

SHRI MADAN BHATIA (Nominated). Madam, I may be permitted..... (Interruptions).

THE DEPUTY CHAIRMAN: Papers to be laid on the Table. Prof. Madhu Dandavate. (*Interruptions*).

SHRI P. UPENDRA: No further discussion on this. What is this? (*Interruptions*).

SHRI MADAN BHATIA: It is a fundamental right. (*Interruptions*)

THE DEPUTY CHAIRMAN: Mr. Bhatia, I would request you. You are a Member of this House. I expect you to respect the supremacy of our House also.

SHRI MADAN BHATIA: Madam, it is upholding the Constitution. I am bound by my oath. My oath is supreme. I shall violate my oath to uphold the Constitution of India. (*Interruptions*). The fundamental right of the citizen is supreme and the rules of procedure ... (*Interruptions*). It is my duty to uphold the honour... (*Interruptions*).

SHRI P. UPENDRA: I am very very sorry that they have objections to accept the supremacy of this House.

THE DEPUTY CHAIRMAN: I am not permitting anybody, any Member, to raise objections on this issue. The decision of the House was unanimous and I want the House to be unanimous. (*Interruptions*)

SHRI MADAN BHATIA: I shall be violating my oath ... (*Interruptions*).

THE DEPUTY CHAIRMAN: I am not permitting anyone. Please take your seats. Mr. Fotedar, I am not allowing any discussion on this matter. Please take your seat. I request members to keep restraint. This is my humble request to everyone. Papers to be laid on the Table of the House. (*Interruptions*). Mr. Fotedar, no point of order arises out of it. Please take your seat. (*Interruptions*).

PAPERS LAID ON THE TABLE

Notification of the Ministry of Finance (Department of Economic Affairs)

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): I lay on the Table a copy (in English and Hindi) of the Ministry of Finance (Department of Economic Affairs) Notification S.O. No. 1/88-122 dated the 5th March, 1988, publishing the